



IPW

PATENT  
Attorney Docket No. 040894-7140

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Confirmation No. 7133
	)	
Ya XU, et al.	)	
	)	
Application No.: 10/516,617	)	Group Art Unit: 1742
	)	
Filed: August 29, 2005	)	Examiner: [Not Assigned]
	)	
For: EXTREMELY FINE SHAPE MEMORY	)	
ALLOY WIRE, COMPOSITE MATERIAL	)	
THEREOF AND PROCESS FOR	)	
PRODUCING THE SAME	)	

Commissioner for Patents,  
U.S. Patent and Trademark Office  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the Japanese Office Action for a corresponding Japanese application and the references cited therein. To the best of the undersigned's knowledge, this Information Disclosure Statement (IDS) is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

Enclosed is a copy of the Japanese Office Action and English translation dated February 6, 2008. Two of the references cited (JP-A-06-212018 and JP-A-09-176330) were already cited in the present case and thus, are not included now.

Applicants request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449. The following documents are listed on the accompanying PTO-1449 and are in a language other than English:

1) JP-10-146612 – The relevance of this document can be understood by the English translated Abstract, figures therein and discussion in the Japanese Office Action.

2) JP-9-49004 - The relevance of this document can be understood by the figures therein and discussion in the Japanese Office Action.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents is material or constitutes "Prior Art." If it should be determined that any of the listed documents does not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

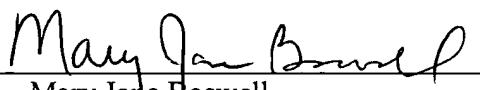
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: May1, 2008

By:   
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